IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 594 OF 2004

Smt. Dhakubai Dhondiram Jadhav & Ors...Petitioners.

Versus

Barku Balu Choudhary & Ors.... .... Respondents.

Mr. P. L. Bhujbal for the Petitioners.

None for the Respondents.

CORAM : S. A. BOBDE, J.

DATED : 21ST MARCH, 2005.

P.C.:

The petitioners challenge the order of the Additional Commissioner, Nashik Division, Nashik dated 5th December, 2002 passed in RTS (Revision) No. 102 of 2001 allowing the revision of the respondents regarding the mutation entry for the year 1996-97.

2. Learned Counsel for the petitioners submits that in the aforesaid year, it was the petitioners who were in possession and not the respondents. It is clear from the order of the Additional Commissioner vide

paragraph 3 that the Additional Commissioner has relied on the spot inspection taken by Tahasildar on 5th November, 1996. The Additional Commissioner has further observed that the spot inspection is substantially carried out in accordance with the rules. In any case, the findings are subject to the decision of a civil court and are not final and conclusive. In this view of the matter, the impugned order calls for no interference. Writ petition is, accordingly, dismissed.

Sd/-

(**S. A. BOBDE, J.**)